

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER LOWER MANHATTAN
DISASTER SITE LITIGATION

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JORGE PENA,

Plaintiff(s), Index No.: 07CV1682

-against-

NOTICE OF ADOPTION

1:21-MC-00102-AKH

4101 AUSTIN BLVD CORPORATION, ALAN
KASMAN DBA KASCO, ANN TAYLOR
STORES CORPORATION, BATTERY PARK
CITY AUTHORITY, BLACKMON-MOORINGSTEAMATIC
CATASTROPHE, INC. D/B/A BMS
CAT, BROOKFIELD FINANCIAL PROPERTIES,
INC., BROOKFIELD FINANCIAL PROPERTIES,
LP, BROOKFIELD PARTNERS, LP,
BROOKFIELD PROPERTIES CORPORATION,
BROOKFIELD PROPERTIES HOLDINGS INC.,
ENVIROTECH CLEAN AIR, INC., FGP 90 WEST
STREET INC., GPS ENVIRONMENTAL
CONSULTANTS, INC., GRUBB & ELLIS
MANAGEMENT SERVICES, HILLMAN
ENVIRONMENTAL GROUP, LLC., INDOOR
ENVIRONMENTAL TECHNOLOGY, INC.,
KASCO RESTORATION SERVICES CO., KIBEL
COMPANIES, MERRILL LYNCH & CO, INC.,
MOODY'S HOLDINGS, INC., NOMURA
HOLDING AMERICA, INC., NOMURA
SECURITIES INTERNATIONAL, INC., ONE
WALL STREET HOLDINGS, LLC.,
STRUCTURE TONE (UK), INC., STRUCTURE
TONE GLOBAL SERVICES, INC., THE BANK
OF NEW YORK COMPANY, INC., TOSCORP
INC., WESTON SOLUTIONS, INC., WFP
TOWER B CO. G.P. CORP., WFP TOWER B
HOLDING CO., LP, AND WFP TOWER B. CO.,
L.P., ET AL,

Defendant(s).

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C O U N S E L O R S :

PLEASE TAKE NOTICE that Defendant, HILLMANN ENVIRONMENTAL GROUP, LLC, (hereinafter HILLMANN) as and for it's response to the allegations set forth in the Complaint by adoption or Check-Off Complaint related to the Master Complaint filed herein and applicable to the above captioned matter hereby adopts all of the responses and all of the affirmative defenses contained in the Answer to the Master Complaint dated, filed and served August 2, 2007, *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21MC 102 (AKH). The responses to all of the allegations in the Master Complaint are adopted herein and are applicable to the Check-Off Complaint served and filed herein. Defendant, HILLMANN, also adopts the responses contained in any Amended Answer filed and served herein.

PLEASE TAKE FURTHER NOTICE that Defendant, HILLMANN, reserves the right to serve and file an amended answer and specifically reserves the right to interpose a cross claim against any and all co-defendants.

PLEASE TAKE FURTHER NOTICE that Defendant, HILLMANN, also adopts all affirmative defenses and the jury demand herein.

WHEREFORE, Defendant, HILLMANN, demands judgment dismissing the above captioned action against it along with the costs and disbursements of this action.

Dated: White Plains, New York
September 11, 2007

Yours, etc.,

SAM ROSMARIN, PLLC



By: _____
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AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF WESTCHESTER:

Cristina A. Villani, being duly sworn, says, I am not a party to the action, am over 18 years of age and reside at White Plains, New York.

On September 11th, 2007 I filed with the USDC pursuant to ECF filing instructions under Case No.: 1:21-mc-00102-AKH and emailed a true copy of the annexed DEFENDANT HILLMAN ENVIRONMENTAL GROUP LLC NOTICE OF ADOPTION by electronic mailing the same to the following parties at their last known electronic mailing address:

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All parties indicated on the
SERVICE RIDER



Cristina A. Villani

Sworn to before me this
11th day of September 2007



Charlene S. Rogers
Notary Public
No. 01RO 4703494
Qualified in Westchester County
Commission Expires 11/30/09